

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Commercial Taxes Department - Allegation of acquisition of assets disproportionate to the known sources of income and violation of APCS (Conduct) Rules against Sri G. Gopal, former Assistant Commissioner, Commercial Tax, Nellore (Retired) - Sanction accorded to initiate disciplinary proceedings under sub-clause (1) of clause (b) of sub-rule (2) of rule 9 of the A.P. Revised Pension Rules, 1980 and framed charges under 20 of A.P.C.S (CC&A) Rules, 1991 - Orders of Hon'ble A.P. Administrative Tribunal setting aside the charges - Implementation of the orders of A.P. Administrative Tribunal - Orders - Issued.

REVENUE (VIGILANCE - I) DEPARTMENT

G.O.Rt.No. 850.

Dated:01-06-2012.

Read the following:-

1. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter No. 3/RCA-NNL/2003, Dt: 17.3.2005.
2. From Sri G. Gopal, Assistant Commissioner, CT, representation dt: 1.2.2007.
3. G.O.Ms.No.746, Revenue (Vig. I) Department, Dt: 17.6.2008.
4. G.O.Rt.No.1302, Revenue (Vig. I) Department, Dt: 18.6.2008.
5. G.O.Ms.No.1088, Revenue (Vig. I) Department, Dt:6.9.2008.
6. G.O.Rt.No.1747, Revenue (Vig. I) Department, Dt:6.9.2008.
7. From the A.P. Administrative Tribunal, orders dt:11.4.2012 in O.A.No. 5294/ 2009 filed by Sri G. Gopal, Assistant Commissioner, CT (Retired).

.o0o.

ORDER:

On the allegation of acquisition of assets disproportionate to the known sources of income against Sri G. Gopal, Assistant Commissioner, CT, Nellore, the Anti-Corruption Bureau registered a case in Crime No. 2/ACB-RCA-NLR/2003 under section 13 (2) read with 13 (1)(e) of the Prevention of Corruption Act 1988 and investigated into. Accordingly, in the reference 1st read above, the Director General, Anti-Corruption Bureau has furnished final report recommending to prosecute the Accused Officer in a court of law and to initiate departmental action for violation of conduct rules against the individual.

2. In the reference 2nd read above, Sri G. Gopal, Assistant Commissioner, CT has submitted representation requesting to drop further action and the Government, after examination of the matter, have decided to conduct the enquiry through the Commissioner of Inquiries into the matter.

3. Accordingly, in the reference 3rd read above sanction was accorded under sub-clause (1) of clause (b) of sub-rule (2) of rule 9 of the A.P. Revised Pension Rules, 1980 to initiate departmental proceedings on the allegation of acquisition of assets disproportionate to the known sources of income against Sri G. Gopal, Assistant Commissioner; since the Accused Officer retired from service on attaining the age of superannuation on 30.11.2007. Accordingly in the reference 4th read above, charges were framed against the individual on

P.T.O.,

:: 2 ::

the above allegation. In respect of violation of conduct rules, in the reference 5th read above, similar sanction was accorded under the above provisions of A.P. Revised Pension Rules, 1980 and charges were framed against the individual in the reference 6th read above; directing the Accused Officer to submit his written statements of defence on the above two charges.

4. Aggrieved by the above, Sri G. Gopal, Assistant Commissioner, CT (Retd.) had approached the Hon'ble A.P. Administrative Tribunal by filing O.A. No. 5294/2009 stating that the charges framed against him are in violation of rule 9(2)(b) of A.P. Revised Pension Rules, 1980.

5. In the reference 7th read above, the Hon'ble A.P. Administrative Tribunal delivered the judgment and held that for the incident which occurred in the year 2003, the charge memo was issued beyond a period four years and the same is barred by limitation under Rule 9 (2)(b) of A.P. Revised Pension Rules and accordingly set-aside the same with a direction to the respondents to release the terminal benefits, if any, due to the applicant.

6. Government, after careful examination of the matter, have decided to implement the orders of the Hon'ble A.P. Administrative Tribunal dt: 11.4.2012 in OA.No. 5294/2009 and to release the terminal benefits due to Sri G. Gopal, Assistant Commissioner, CT (Retired). Accordingly, Government hereby order to release the terminal benefits to Sri G. Gopal, Assistant Commissioner, CT (Retd.).

7. The Commissioner of Commercial Taxes, AP, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G. Gopal, Assistant Commissioner, CT (Retd.)

through the Commissioner of Commercial Taxes, A.P, Hyderabad.

The Commissioner of Commercial Taxes, A.P, Hyderabad.

Copy to:

The Secretary to VC, A.P. Vigilance Commission, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Accountant General, A.P, Hyderabad.

The Director of Treasuries & Accounts, AP, Hyderabad.

PS to Principal Secretary to Government, Revenue Department.

Revenue (CT -I) Department.

The Deputy Registrar, A.P. Administrative Tribunal, Hyderabad.

SF.

//FORWARDED :: BY ORDER //

SECTION OFFICER.